

## **REMARKS**

### **Summary**

Claims 45-74 were pending. In the present response, claims 45, 47, 48, 52, 56, 58-62, 64, 66, 69, 73, and 74 have been amended, and claim 65 has been cancelled. All amendments are fully supported by the original disclosure. No new matter has been introduced.

Accordingly, claims 45-64 and 66-74 are pending and under consideration.

### **Examiner Interview**

Applicant thanks the Examiner for the courtesies extended to Applicant's representative during an August 4, 2009, telephonic interview during which the outstanding rejections were discussed. In particular, the subject matter of claim 45 and its rejection over Shiloh were discussed. Applicant proposed amending the claims to clarify the asserted subject matter and to address alleged ambiguities present in the claims. It is Applicant's impression that the proposals were favorably received by the Examiner, potentially moving toward resolving the alleged issues, and thus, accordingly are included herewith in this response.

### **Rejections Under 35 USC 112, Second Paragraph**

Claims 58-63 were rejected as being indefinite. The claims have been amended to provide further indication that the claims are directed to a computing device. As recited in claim 58, the computing device comprises a storage medium and a processor. Further, the storage medium has "stored therein a plurality of programming instructions that, if executed by the computing device, cause the computing device" to perform various recited operations. As such, claim 58 defines a computing device configured to carry out the recited operations. Thus, Applicant asserts the claim is definite and is not directed to more than one statutory class.

### **Rejections Under 35 USC 102**

Claims 45-74 were rejected under 35 USC 102(e) over Shiloh (US 2001/0037316) or Shiloh (US 7412422) (hereinafter the references will be referred to collectively as "Shiloh" unless otherwise indicated). Applicant respectfully traverses the rejections and reserves the right to later address the eligibility of the references as prior art.

Shiloh provides an Anonymous Virtual Personality Provider (AVPP) configured for the creation and use of virtual entities for performing various actions on-line anonymously by a user. Shiloh does not teach a "device causing a second server of a second service provider to dynamically generate and provide a personality profile having one or more personality characteristics to portray a desired persona, the one or more personality characteristics being based at least in part on a determined categorization of the web site, the second service provider providing a personality service," as recited in claim 45. Support for the recited features regarding "categorization of the web site" may be found in the Specification, for example from page 11, line 13 to page 12, line 8, in which the provided personality characteristics are determined from "categorization" of a "web site". As an example, as indicated at page 11, lines 13 to page 12, line 8, a user may submit a personality profile to a golf website that highlights the user's interest in golf.

In the Office Action, no corresponding teachings of Shiloh were identified. Applicants submit that no such corresponding teachings are present in Shiloh, and that claim 45 is patentable over Shiloh.

Independent claims 52, 58, 64, 69, 73, and 74 contain language similar to that of claim 45 and thus are patentable over Shiloh for at least the same reasons discussed above with respect to claim 45.

Independent claim 52 also recites "receiving by the first server, from a client device, a request to determine content of a web site provided by a second service provider, to categorize the web site based on the content, and to dynamically generate and provide a personality profile having one or more personality characteristics for a user of the client device," to further specify an embodiment of the invention. Claims 58 and 73 contain similar language. Shiloh does not teach or suggest these features, and as such claims 52, 58, and 73 are patentable over Shiloh.

Claims 46-51, 53-57, 59-63, 66-68, and 70-72 are dependent, directly or indirectly, on claims 45, 52, 58, 64, 69, 73, and 74, and thus are patentable over Shiloh for at least the same reasons discussed above.

**Conclusion**

In view of the foregoing, Applicant respectfully submits that claims 45-64 and 66-74 are in condition for allowance and early issuance of a Notice of Allowance is respectfully requested.

If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 796-2844. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: August 18, 2009

/Steven J. Prewitt/  
Steven J. Prewitt  
Reg. No. 45,023

Schwabe, Williamson & Wyatt, P.C.  
Pacwest Center, Stes. 1600-1900  
1211 SW Fifth Avenue  
Portland, OR 97204-3795  
Telephone 503.222.9981